G. R. S. IX-5]

Previous references.

1899-98

~~191~~

(S. and R.)

File No. 24

Serial Nos. 1—12

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1—12

Part B for November 1901

SUBJECT.

Conveyance Allowance to Officers.

W D 88—GPB—50,000—24-7-16

Countersigned

Indexed

(10) 1899

Re-written

Order: — 9

Article 518 B of the Mysore Service Regulations as revised in Proceedings No: 6083 / PA 829 dated 25th November 1896, which was based on Article 1093 of the British Civil Service Regulations, reads as follows: —

"Subject to the general or special sanction of his official Superior, an Officer, having to travel by railway over a distance of not less than 20 miles in a single journey and sending the conveyance required for his use at the end of such journey, shall be entitled, in addition to his ordinary allowance, under Art: 522, to the actual expenses of sending such conveyance."

The point now requiring disposal is whether the said article is applicable to officers transferred from one station to another ~~or whether it is applicable to only officers moving out in Camp~~.

~~The Govt of India to whom a reference was made by the Madras Govt~~ at Madras ascertained that by Govt of India ~~Govt on the subject~~, have since explained ~~interpreted~~ that the necessity contemplated in the Article of 1093 for the conveyance of horses, camels or camp equipment by rail in the interests of the public Service, is the necessity of an Officer at once proceeding into Camp on joining his new appointment, and the fact that on

3

an officer may, for instance, require his horses and carriage on arrival as a means of conveyance to his office, has never been recognised by the Govt. of India as justifying the charges for their removal being borne at the public cost.

It is directed that the interpretation placed by the Govt. of India on the rule in question be adhered to in dealing with cases in which conveyances are taken by said at the public expense under art. 518 B.

By Order,
9/9/99
Secretary

To
The Comptroller & the Govt. Treasurer
Heads of Depts.
Dy. Comrs. of Districts.

(11) Office note

10

4

Madras Govt: Ors: No: 791 dated 14th July/99 passing orders on letter from the Govt: of India regarding the correct interpretation to be placed upon art: 1093 of the Civil Service Regulations in cases in which sanction may be given to the conveyance of horses & Camp equipage at the cost of the State.

The revised art: of 518 B. of the Bengal Service Regulations appears to correspond to art: 1093 of the Civil Service Regns:, and lays down that an officer, having to travel by railway over a distance of not less than 20 miles in a single journey, and sending the conveyance required for his

his use at the end of such journey, & shall be entitled in addition to his ordinary allowance, under art-522, to the actual expenses of sending such conveyance; provided he is not in receipt of a permanent monthly travelling allowance.

Dep: Comr Bangalore Dt with his letter of 12th Febry/98 submitted for orders an application from Mr Darsha Pro: Asst: Comr, soliciting sanction under the above revised art of 518 B. to take his pony by rail at Govt: expense as far as Kolalkere as he stood transferred to the Chitaldrug Dt. Whereupon the Comptroller was asked by this office to furnish his opinion as to whether that art-(518 B) is applicable having reference to art-578, ~~inapplicable~~ to officers transferred to

6

Vide his No: 8574/2508 15/5/98

to another station or whether it is applicable to only officers moving out in Camp.

The Comptroller furnished his opinion accordingly which was in favor of the conception prayed for by the Darasha was granted in Govt. Pro: No. 5068-70 of 18-5-98 - Consequently this conception is being extended to all other similar cases.

Submitted

19/99

Sub. Secy.

The British Indian interpretation seems liberal as compared with the practice in vogue in the State

and some reasons
the latter are given
in the Comptroller
letter No. 8574/2508
5th May 1898.

Yes - When the correspondence
allowed to remain pending
without any consideration
it is not clear how it can be
referred in the case of
officers under orders of
transfer -

29 9 98

29-9-98

1225

I am afraid
we can too blind in
an interpretation of the
Civil Service - which
we adopt the fact
of Indian Service we
must also interpret them
as the fact of Indian
do - I think we
ought to look up the
the ruling of the Govt of India
in this case and reserve
future discussion
Kind regards to you the Chief

Draft
for
approval. 8

Read; (12)

Proceedings of the
Govt. of Madras (Fin.)
No. 791 of the 14th July
1924 enclosing a
letter from the Govt.
of India regarding the
correct interpretation
to be placed upon
article 109 of the Civil
Service Regns. in cases
in which sanction may
be given to the convey-
ance of horses and
camp equipage at
the cost of the State.

Order:—

In para 2 of the
letter of the Govt. of
India above referred to

I have spoken to the
Secy about the
undesirability of
opening this. He agrees
& this has been allowed to
stand. He does
not wish to be
called on. Q
22-11-29.

PKa 23/11-

To the Current Records.

28/11/29

It is explained that the receipt contemplated in Article 1093 of the Civil Service Regs. for the conveyance of horses, or camp equipment by rail in the interests of the public service, is the receipt of an officer at once proceeding to join his camp on joining his new appointment, and the fact that an officer may, for instance, require his horses & carriage on arrival as a means of conveyance over this line,

60

has never been recog-
-nized by the Govt. of
India as justifying
the charges for their
removal being borne
at the public cost.

2. The corresponding
provision of the Supra
Service Regs. is
article 5-18 (1) and
the Govt. direct
that it should be
interpreted in the
light of the above
ruling of the Govt.
of India and sanc-
-tion to the conveyance
of horses & camp
equipage at the cost
of the State confined

* as revised by Govt.
Prof. No. 6083. Para. 829
dt 25-4-nov-1956

& cases falling within
the limits therein
laid down.

Secy.

To the Comptroller & the
Gov. of Nyasa.
" Adv. of Lagos.
" Dy. Comrs. &
Consuls.

(14) 12

Extract from the Madras Supplement to the Civil Service Regtns, 1899.

Camp. Equipment and Horses. [C.S.R. 1093]

The concession allowed in the article is only intended to meet extraordinary cases of increased expenditure incurred by officers ordered to proceed on emergent duty, and not to cover every journey made by all the officers of a particular department.

[M.G. No 4777, Rev., 30-7-89.]

This article provides for special circumstances which do not, as a rule, arise upon cases of transfer.

[G.O. No 4312 22-8-89.]

In framing the rule contained in article 1093 and in allowing Local Governments to delegate their powers under that rule, to Heads of Departments and other authorities, it was not the intension of the Government of India that officers should, when making ordinary journeys on tour or transfer, be entitled in addition to drawing travelling allowance, to convey their horses or camp equipment at Government expense, even when the nature of their duties requires them to maintain horses.

[G.I. 1603-Ex., 10-4-96.]

horses or camp equipment. The rule was intended to meet the more or less exceptional case of an officer requiring, for the discharge of his official duties, to make use of his horses or camp equip-ment ~~by road or country cart, or~~ (in in one place immediately or very shortly after having had to use them in the public service in another place, and who is therefore obliged in the interests of the public service to con-vey them by railway or steamer. It is only therefore when it is shown that public interests would suffer if an officer sent on his horses or camp equipment by road or country cart, or (in cases of distant transfers) if he sold and replaced them, instead of despatching them by the quickest means at his command, that the cost of their con-veyance by rail or steamer should be sanctioned. It also follows that the concession should not be made to an officer who sends forward his horses in order to avoid the expense of hiring the means of conveyance on a journey for which he draws travel-ling allowance, for that is the very charge which the travelling allowance is in such a

or cases meant to defray. Nor can the rule be applied to meet the charges for conveyance to the officers station of a horse or of equipment purchased from a place at a distance.

The expression "interests of the public service" used in the foregoing paragraph includes the economy of an officers time. There is no objection to the application of article 1093 to cases in which the local Government thinks that the conveyance of camp equipment or horses by rail will serve the public interests by enabling an officer to do more work than he otherwise would in a given time. The only question which should be considered in deciding such matters is whether the allowances admissible under rule 1 do or do not reasonably cover the expenditure necessary to meet such travelling as is required in the interests of the public service, the assumption being that the expenditure will be kept on the most moderate scale that forethought and

[G.I. letter No. 5453. Ex. Fin., 29-12-96. and G.O., No. 51, Fin., 20-1-97.]

and arrangement can secure.

The necessity contemplated in Article 1093 for the conveyance of horses, camels or camp equipment [G. I. No. 195 S.R., 14-1-99] by rail in the interests of the public service, is the necessity of an officer at once proceeding into camp on joining his new appointment, and the fact that an officer may, for instance, require his horses and carriage on arrival as a means of conveyance to his office, has never been recognised by the Government of India, as justifying the charges for their removal being borne at the public cost.

It has always been recognised that a transfer involves some expense to the officer affected, and the responsibility of reimbursing him for the entire cost has never been accepted.

Military officers on famine duty

Military officers deputed on famine duty are allowed, both when proceeding to famine [G. I., No: 4128 S.R. I. in 16-9-97] duty and returning to their regiments, to rail one or two horses as required, and the necessary camp equipment at the expense of the State.

Procedure in preferring claims

Officers claiming concessions under Article 1093 should submit their applications in the form appended to the Accountant-General's letter printed in G. O., No: 435 Financial dated 2nd June 1897.

Charges on account of the carriage of tents or horses should be supported by the receipts granted by the railway authorities and the charges on account of steamer fares should be supported by the receipts of the company to which the steamer belongs, which should themselves be checked with the company's time and fare tables. Actual embarking and disembarking charges should, in the absence of receipts, be admitted on the certificate of the officer.

[C.S.R.—1094]

The Board of Revenue can sanction charges for the conveyance of horses and tents, by rail or steamer, in the case of Officers subordinate to the Board in the Revenue Settlement and Separate Revenue Departments and at rates not exceeding the following in the case of officers of the Land Revenue Department:—

[G.O.S. No: 504, Fin 19-6-82; No: 1114 Fin 5-9-82, No: 1326, Rev: 22-10-83; No: 516 Fin: 26-6-91; and No: 710, Fin, 24-10-96]

Department:—

	Horses. No:	Tents. Nos.
Collectors	4	65
Sub-collectors	4	55
Head Assistants	3	45
Other Divisional Officers	3	35

The Superintendent of Revenue Survey can sanction charges for the conveyance of camp and horses of officers of the Survey Department within the following limits:— (G.O., No: 11147 in 5-9-82 and No: 1182, Rev: 25.983)

	Horses. No:	Camp Nos.
Deputy Superintendent	3	35
Assistant Superintendent	3.	25

The Inspector-General of Police can sanction charges for the conveyance of camp and horses of officers of the Police Department within the following limits:— (G.O., No: 2010 Jud. 1-8-83)

	Horses. No:	Camp Nos.
Deputy Inspector General	4	55
Superintendent	3.	55
Assistant Superintendent	3.	55
Inspectors	1	66 700.

The following general conditions are laid down for the guidance of authorities to whom sanctioning powers under (G.O., No: 272, Fin, 26-3-97) Article 1093 have been delegated:—

delegated:—

(i.) Where economy of an officers time is involved, there can be no difficulty in deciding that transport by rail (or steamer) of horses and camp equipment is necessary in the interests of the public service. Such for example are the cases where an officer, while on tour, finds that his duty requires him to move to a new camp at such a distance that if he travels by road he must halt in the journey at places where he has no work whole to travel by rail himself, parting from his horses and camp equipment and sending them by road, involves a waste of time at one or other of the camps. The sanctioning authority, within whose knowledge the details of the officer's duty will be in each case, will be in a position to decide whether the long move was necessary.

(ii) Where the cost to Government is less if horses and camp equipment are forwarded by rail than if they are sent by road, it is obviously in the interests

interests of the public service that the cheaper route should be taken.

(iii) Except in special emergencies the cost of transport of horses by rail on a journey of less than thirty miles to or from head-quarters should not be recovered by the officers concerned, while the transport of camp equipment under similar circumstances at the public expense should only be admitted where a saving to Government in the cost of the journey is thereby effected.

To simplify matters and ensure greater check, heads of departments to whom the power of special sanction under Article 1093 has been delegated, should furnish the Accountant-General at the time of sanction with particulars regarding each sanction in the form prescribed in G.O., No: 435 Financial, dated 2nd June 1897. The Accountant-General should then submit for the orders of Government any case in which he considers the sanction of doubtful propriety.

A return of sanctions accorded during the year, with brief notes explaining the circumstances of each case will

will be submitted to Government annually by the above authorities on the 15th February

In furnishing returns of sanctions and applications for sanction under Article 1093, heads of departments and officers should "clearly specify the "special emergency" which may necessitate a departure from the 30 miles limit as regards the carriage of horses, laid down above.

21

(20) Office Note

Mr E. S. Krishnaswamy Iyer, Civil Surgeon took a carriage and one horse by rail to the Kolar Gold Fields, on his transfer there. The Senior Surgeon Sub^{d} a bill for the charges incurred therefor and it was sanctioned and forwarded to the Comptroller for audit. Now the Senior Surgeon ~~has forwarded~~ in forwarding letter No^{o} 758 d: 24/6/01 from the Civil Surgeon ~~for information and~~ reports that he has permitted him to take the 2nd horse as well as he is entitled to take a ~~horse~~ carriage and two horses under the codal rules. The Secretary's order

Order thereon is as follows:-

"Is this taking in instalments allowable?"

The ~~L~~ articles that deal with "conveyance and horses" are 518, 518(a) and 519. These are silent on the question raised. But it is subm. that if the Civil Surgeon had taken the two horses together, the Govt would have been put to less expense than now; the rates for the conveyance of horses being as follows:-

"First horse - two annas per mile } When belonging to the
Every additional horse - 1 anna per mile } same person and conveyed in horse-boxes

Subm. for orders of Secty

19/8/01.

I am inclined to consider that this rule

23

which is exceptional has to be strictly construed & does not allow of this being sanctioned.

[illegible]
3/8

To the 3rd Councillor.

[illegible] 4/8/01

31-8-01
(24)

Mr K. Iyer is entitled to take [illegible] [illegible] [illegible]. He should have taken them together [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] if both the [illegible] had been taken together. Except [illegible] sanction full amount. Half the railway charge is sanctioned for the 2nd journey. [illegible]
6/8.

The foregoing orders were communicated to the Senior Surgeon in Govt. Pro: No 4295-96 of 7th September 1901. Pa 263

In acknowledging the receipt of this Proceedings the Senior Surgeon, remarks that it is nowhere laid down that an officer who is entitled to bring two horses free from one Station to another by rail must bring them together on the same date, that it is extremely inconvenient for him to do so and requests sanction, pending the elucidation of the existing orders on the subject, to the full allowance claimed for the 2nd horse in the case under reference.

Note 2 to art 518(a)
clearly lays down that
sanction under that art:
shall be given only in the
interests of public Service
This expression "in the
interests of public Service"
is nowhere defined in the
Mysore Service Regulations.
But it is explained in
pages 53 to 56 of the
Madras Supplement to
the British Civil Service
Regulations (1899) and the
intention of the Government
of India in framing the
rule contained in article
1093 of the Civil Service
Regulations, which corresponds to art 518A
of the Mysore Service
Regulations, is also explained
therein. From this, it is
clear that the concession
of art: 1093 of the Civil
Service

× copy put up.

Service Regulations (art 518 A of the Mysore Service Regulations). Shall be given only under special circumstances to meet extra-ordinary cases of increased expenditure incurred by officers ordered to proceed on emergent duty and not to cover every journey made by them, and that such special circumstances do not as a rule arise upon cases of transfer.

The orders of the Govt of India referred to in the Madras Supplement say that the concession of art 1093 shall be shown in the following circumstances:—

(1) When an officer requires for the discharge of his official duties his conveyance in one place immediately or very shortly after having had to use them in the public service in another place and when it is shown that public

public interests would suffer if an officer sent on his conveyance by road or country cart or (in cases of distant transfers) if he sold and replaced them instead of despatching them by the quickest means at his command

(2.) Where economy of an officer's time is involved ie where by sending the conveyance by rail, it will serve the public interests by enabling an officer to do more work than he otherwise would in a given time

(3) Where, in cases of transfer, an officer is required to proceed at once into camp on joining his new appointment.

From the above, it is evident that an officer can neither, as a matter of course

course, claim conveyance
charges for all journeys nor
in case such charges are
sanctioned, can he claim
them to suit his own
convenience without any
regard to the expenditure
which the Government will
incur thereby.

But it is submitted
that the practice in vogue
in the State is to extend
the concession of art: 518 A.
to officers under orders of
transfer. A question being
raised in the year 1899
on the subject, T.R.A.
Thumboo Chettiar Esqre. B.A.B.L.
recorded his opinion as follows:—

"I am afraid we are too "
liberal in our interpretation"
of the codal rules. While "
we adopt the Govt. of "
India rules, we must "
also interpret them as "
the Govt. of India do. "
I think we ought to "
act up to the ruling "
of the Govt. of India "
in this case and refuse "
future concessions of "
the "

" the kind referred to in the
" office note
" I would read the
" printed papers we have
" obtained from Madras and
" issue an order accordingly.

(Init.) T.R.A.T.
29-9-99.

In accordance with this opinion, a draft order was prepared but not issued under Secretary's order recorded therein as follows:—

" I have spoken to the 1st
" councillor about the un-
" desirability of issuing this.
" He agrees to this being
" allowed to lie over till
" called for."

(Init.) C.S.
22-11-99.

(Vide file marked A.).

Note 3 to art. 518 A. of the Mysore Service Regulations distinctly lays down that an officer having to send conveyance by Rail, must avail himself of the con-cessions if any, granted by

by the Railway Department &c. This, I think, applies not only for return journey as laid down in the note but also for other journeys as well; and as the object of the concession allowed is not to increase the expenditure unnecessarily, it is a point for consideration how the full amount could be allowed in the present case.

The Senior Surgeon has however allowed Mr Krishnasami Iyer to take the 2nd horse

Subs for orders.

HB
5/10/1899

The matter involved is not much, but I do not understand why the Senior Surgeon should press it again. The words in S. 78 B. "required for his use at the end of the journey" clearly imply that it is not to remain the Officer's personal ~~issue~~ Officer as the necessity for use in Offl work

Soon after his arrival at his destination, that is meant to be consulted I would propose that a letter be sent to that effect

2/11/1901

The rule has no doubt been interpreted very liberally here but I believe we should if at all, alter & change towards restrictive interpretation now.

Subd to 3rd Councillor.

4/11/1901

4/01 (46).

Section STA 969

File No 24-1892

Serial No 1 From

Mis 2506

1892 [illegible]

7009

15/2/92

The Dy. Commissioner,
Bangalore District.

To

The Secretary to Govt
Judl Department
Bangalore

Dated 12th

Despatched 14th February/92

Received

General No.

D No. 1073

Enclosure No. 1

Govt order No. 9160-73
Dated 1857
5th February 1892.

Submits for order, an application from Mr. W.K. Warnock, Pro: Capt Commg praying that under Sec. 518 of the Cr. Proc. Code, sanction may be accorded to the conveyance of his prisoner by train, at Govt. expense, as far as the Kolar Rd. Station.

Sir

Your obedt servt

[illegible]

1/3/92

I have quite agree with the Asst Secy - However please caused the Complainter be have in mind every case Govt sanction

2/3/92

Submitted
2/3/92.

D. 1

1073
E. 1

Bangalore District
Dy. Commissioner's Office
Bangalore 12th February 1898.

To,

The Secretary
to the Government of Mysore
Revenue and General Departments.

Sir,

Article 518 B of the Mysore Service Regulations (article 518 as amended by Government Order No. 5364 F. R. 294 of the 10th December 1895) entitles an officer subject to the sanction of his superior to send a conveyance by rail at Government cost when travelling by rail in the interests of the public service for not less than 20 miles. Under this authority, Probationary Assistant Commissioner Mr. D. K. Daruvah, who stands transferred from the Bangalore District to the Chittaldrug District by Government Order No. 9168-73 Mis 1857 dated the 5/8th of February 1898, has

sought my permission in his letter dated 12th February 1898 to take his riding horse to Kolalkere by rail. The letter is herewith enclosed.

2- As I think that such a permission can be granted by a District Officer only when his subordinate travels within his District Mr D. K. Doraiah has been informed to await the orders of Government on the subject.

I have the honor to be,
Sir
Your most Obedient Servant

Asstt Commissioner
in District charge
For Deputy Commissioner

(1)

4

Bangalore Distt Office.

Ex-658/ 12th July 1898

To

The Deputy Commissioner Bangalore Distt.
Bangalore

Sir

Under Article 578 of the Mysore Service Regulations, an officer having to travel by Railway for over 20 miles & sending his 'Conveyance' for his use at the end of such journey, is entitled to the actual expenses of sending such 'Conveyance', subject to the Sanction of his Offecial Superior. I have the honor accordingly to request you to be good enough to accord sanction for sending my pony to Holalkere Ry. Station where I alight (from train) and take horse to Chitaldrug to which place I have been transferred.

I have &c.
V K Ramachandra
Proby. Asstt. Commr.

Recd 12-2-98
Send up for the orders of Govt 12-2-98

(3) 5

189 8.

From

The Secretary to the Govt. of Mysore,
General and Revenue Departments.

Section S & A

File No 24 (89)

Serial No 2

To

The Comptroller

2

Dated 5th March/98.

Despatched

Received

General No. 10808

Pol. No. 875

Enclosure No. copies

Letter no: 1073 dated 12th Febry/98 from the Dy Comr, Bangalore Dist, submitting for orders an appln from Mr. Darashah, Pro. Asst Commr, soliciting sanction under art 518 B of the Mys. Regns to take his family by rail at Govt expense to the place to which he stands transferred.

In forwarding herewith copies of the above ~~letter~~ ~~& papers~~ with its enclosure in original (~~to be obligingly returned~~), has the honour to request that the Comptr

will be so good as to furnish his opinion as to whether ~~it will be in accordance with~~ the rules to permit Officers to send their conveyance by rail at Govt. expense to the place to which they are transferred.

By order,

Off.

for Secretary

Art. 518 B is applicable to Officers transferred to another Station, having ref. to Art. 578 thereof or whether it is applicable to only Officers having rank in Camp

P.24 1072

7908

12/3/98

189 7.98

(4)

(3)

Section S & A

File No 24-189

Serial No 3 From The Deputy Commissioner Hubli

To The Secretary to the Government of Mysore General and Revenue Departments

Dated 18/3/98

Despatched & Rec'd 19/3/98

Received

General No. 851.

No. 804.

Enclosure No. 1

Refer putup

M 18/3/98

Rec'd 18/3/98 Submitted

Please see docket to Comptroller on the Bangalore Dy: Comm'r's No. W 73 dt 17/3/98 ~~a similar case~~. May the Comptroller's opinion thereto awarded in the disposal of this bill?

22/3/98

Send a Memo

23/3/98

Saw, Comptr's Rule 42 C.B. applicable

15866-7 18/3/98

I have the honor to submit for sanction and transmission to the Comptroller for audit a bill for Rs 21 being the amount of trainage paid by Mr. D. K. Wadiashar Probationary Assistant Commissioner since transferred to this District for conveying his pony by rail from Bangalore to Holalkere

Asst Subd

24/3

P.O.

Asst Deputy Commissioner

8 pta 1386 (7) 1454

Subd to Secty 15/5/98

Section S & R

File No 24-1897

Serial No 4

From The Comptroller, Mysore Govt

To The Secretary to the Govt. of Mysore

Dept.

OFFICE OF THE DEWAN OF MYSORE. 189 8 9890 7-5-98

The Comptroller's opinion is in favor of the claim. There are also precedents. Can any sanction be issued 16/5/98

Issue the draft bills which has been passed by Secy 16/5/98

Dated 5th May 1898.

Despatched 6

Received

L. F. No. 8574

No. 2508

SUBJECT MATTER.

Stating that in cases of transfer some concession is shown only for road journey and an officer is permitted to draw for such journeys mileage without travelling more than 20 miles a day

Refer to Secy 12/5/98 A 7-5-98

Ans 13/5/98 Subd 14/5/98

No. 8574
No. 2508

OFFICE OF THE COMPTROLLER, MYSORE GOVT.

Bangalore, 5th May 1898

From

E. R. SUBRAYER, Esq.,

Comptroller, Mysore Govt.

COMPTROLLER'S OFFICE
5 MAY 98
MYSORE

To

The Secretary to the Govt. of Mysore,

General and Revenue Depts.

Sir,

With reference to your docket No. 10808 875- dated 5th March 1898 forwarding Copies of Correspondence regarding the allowance claimed by Mr Darashah for taking a horse under article 518 B of the Mysore Service Regulations and requesting my opinion as to whether that article is applicable having reference to article 578 to Officers transferred to another Station or whether it is applicable to only Officers moving out

in Camp, I have the honor to state that in cases of transfer time Concession is shewn only for round journeys, and an officer is permitted to draw for such journeys mileage without travelling more than 20 miles a day as required by General rules, in as much as he has to incur extra expense on account of locomotion for himself, his family servants &c, and he is therefore such a loser in taking his horse during his road journey. But for Railway journeys no Special Concession is provided and the officer has to sustain a loss by sending his horse by rail as he would do on any other occasion. So when an officer

transferred to another station has to perform his journey partly by railway and partly by road and is in consequence under the necessity of sending his horse to the place where the Railway journey ends, he seems entitled to the allowance provided in article 5-18 B. But it is open to question whether such allowance should be given even in cases where Railway communication exists throughout i.e from the place where he was last employed to the place of transfer

Article 1093 of the Imperial Code in which the article 18 B appears to have been framed lays down that if

An officer required to travel on public duty sends his horse by rail in the interests of public service he may draw the actual cost, and it does not specify whether the journey should be on account of leave or any other purpose. Officers in same department such as Public Works, Forest, Revenue are required to maintain horses at all times in the interests of public service, and it seems reasonable that such officers when, travelling passed from one station to another should be reimbursed with the

actual cost of taking their horses by rail.

I may add that in 3 or 4 cases of transfer both in the Public Work and Civil departments the Special allowance Sanctioned in article 5 / 18 B has been admitted under Government Sanction in each case

I have the honor to be
Sir
Your most obedient Servant,

By Command

J. W. Campbell

Capt. [illegible]

5

14 (8) 1898

(X) Letter No. 1073 D/12 Dated 7 February 1898 from the Asst Comr, Bangalore Dt, submitting an application from Mr. D. K. Darashah Pw. Asst Comr ~~soliciting permission~~ who stands transferred to the Chikballapur Dt, soliciting permission to take his pony by train at Govt expense as far as Balalkere (2).

Section S+A
No 24-1897
No 5

Docket No. 85/804 dated 8th May 98 from the Dy Comr, Chikballapur Dist, submitting for sanction a bill for Rs 21/- being the amount of tramage paid by Mr. D. K. Darashah, Prob. Asst Comr, for conveying his pony by rail from Bangalore to Balalkere, ~~on transfer to the Chikballapur Dist~~

2. Letter No. 85/74 2508 dated May 98 from the Comptr to the Govt of Mysore, stating that it seems reasonable that officers, who are required to maintain horses at all times in the interests of public service, when transferred from one station to another, should be reimbursed with the actual cost of taking their horses by rail

order thereon:-

The bill

M. 15068-70 / F. No 1221 q. 18-5-98

Govt

is sanctioned and forwarded
to the Comptroller for audit.

Off.
Secretary

Sig
14/5/98

To The Dr Coroner, Chichel Drug St.

The Compt. with bill.

The Dr Coroner, Bamfalace St. for information
~~for information~~
~~with reference to his no: 1073~~
~~of 12th February 98.~~

Recd 14-8-99
Subd 14-8-99
V.S.

(9)

Ub

Govt No 480 1/2

Pla 73 1/2.

Government (1899) of Madras.

FINANCIAL.

SRA
No 24-1899
Serial No 6

1784/2

GOVERNMENT OF MYSORE
NO
DATED 14-8-1899
LEGISLATIVE DEPARTMENT

11966

I presume no buyer
who the Rule is
continued & applied
as per subsy of Govt
has reference to

14/8/99

Recd. } 1899. Enclosures
Regd. } Spare copies

G.O., No. 791, 14th July 1899.

RVA
Please put up
a note
15-8-99

JULY.

16.8.99.

Submitted with
an office note.

Conveyance Allowance under Article 1093 of the Civil Service Regulations.

Passing orders on letter from the Government of India regarding the correct interpretation to be placed upon article 1093 of the Civil Service Regulations in cases in which sanction may be given to the conveyance of horses and camp equipage at the cost of the State.

GOVERNMENT OF MADRAS.

FINANCIAL DEPARTMENT.

READ—again the following papers:—

G.O., No. 320, Financial, dated 8th May 1896.
" " 51 " " 20th January 1897.
" " 272 " " 26th March "
" " 435 " " 2nd June "

G.O., Nos. 605, 606, Financial, dated 14th July 1898.

ABSTRACT.—Passing orders on the claims of certain officers to conveyance allowance under article 1093 of the Civil Service Regulations, and directing that the Government of India be addressed on the question of the correct interpretation to be placed upon that article.

READ—also the following papers:—

From H. H. RISLEY, Esq., Officiating Secretary to the Government of India, Finance and Commerce Department, to the Chief Secretary to the Government of Madras, dated Calcutta, 14th January 1899, No. 195-S.R.

I am directed to refer to your letter, No. 606, Financial, dated the 14th July 1898, enquiring whether the Government of Madras has correctly understood the intention of the Government of India in the interpretation to be placed upon article 1093 of the Civil Service Regulations and requesting that the existing orders may be rendered free from doubt and, if necessary, modified, since, as at present construed, they have caused much discontent in the Presidency and appear to His Excellency the Governor to be inappropriate and inexpedient.

2. I am to say that the Government of India would adhere to the interpretation placed upon article 1093, Civil Service Regulations, by the orders noted on the margin, which while leaving a reasonable discretion to Local Governments in the matter, appear to indicate with sufficient clearness the limits within which such discretion should be exercised. The necessity contemplated in the article in question for the conveyance of horses, camels or camp equipment by rail in the interests of the public service, is the *necessity* of an officer at once proceeding into camp on joining his new appointment, and the fact that an officer may, for instance, require his horses and carriage on arrival as a means of conveyance to his office, has never been recognised by the Government of India as justifying the charges for their removal being borne at the public cost.

(1) Resolution in this department, No. 1603, dated 10th April 1896.
(2) Letter in this department, No. 5453, dated 29th December 1896.

3. With reference to the general arguments adduced in your letter under reference for the relaxation of the restrictions hitherto imposed, I am to express regret that His Excellency the Governor-General in Council is unable to accept them. As pointed out in the letter from this department, No. 3115, dated the 27th June 1890, the question of travelling allowance to officers on transfer was previously carefully considered and decided by the Government of India in 1888, and the limit of the concessions which it was considered desirable to allow was defined in article 1205

of the Civil Service Regulations. It has always been recognised that a transfer involves some expense to the officer affected, and the responsibility of reimbursing him for the entire cost has never been accepted. His Excellency in Council therefore regrets that he is unable to re-open the decisions already come to in the matter or to take action on the lines indicated in your present letter.

Ordered that copy, with copy of the letter to which it is a reply, be forwarded to the Home Department.

Ordered also that copy be forwarded to the Accountant-General, Madras.

From the Accountant-General, Madras, dated 18th March 1899, No. 1064.
From the Public Works Department, dated 18th May 1899, No. 249-D.

Order.—No. 791, Financial, dated 14th July 1899.

The Governor in Council considers that, in view of the decision of the Government of India contained in the letter read above, all claims under article 1093 of the Civil Service Regulations should be submitted to Government for final approval.

2. The instructions in the last two sentences of paragraph 3 of G.O., No. 435, Financial, dated the 2nd June 1897, are cancelled. The Board of Revenue, the Chief Engineer, Public Works Department, the Inspector-General of Police and the Superintendent Madras Survey, to whom powers of sanction under article 1093 have been delegated, will, as hitherto, pass orders on each individual claim and forward a copy of the sanctioning order in each case to the Examiner of Public Works Accounts or to the Accountant-General, as the case may be. The Board and the other authorities mentioned above will also furnish the Financial Department with a monthly statement of all sanctions.

3. The Accountant-General and the Examiner of Public Works Accounts will be authorized to pass claims so admitted by Controlling authorities, but it will be clearly understood by all officers that if on revision the Government considers any particular claim inadmissible, retrenchment will follow.

4. The form laid down in paragraph 1 of G.O., No. 435, dated the 2nd June 1897, will be amended by substituting for columns 17 and 18 the following column:

> Column 17.—Remarks and order of the Board of Revenue or head of department."
> Column 18.—Order of Government."

The monthly statement referred to above should be furnished in the form as thus altered.

5. The Superintendent of the Government Press will supply heads of departments and officers with the forms.

(True Extract.)

G. STOKES,
Chief Secretary.

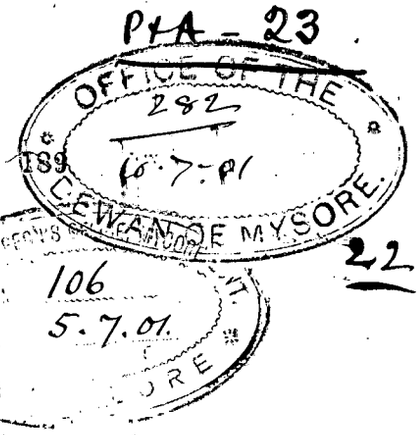
To all Departments of the Secretariat.
„ the Public Department.
„ the Board of Revenue (all Departments).
„ the Accountant-General.
„ the Superintendent, Government Press.

Exd. A. F. Eccleston.

PHA - 23

19

(15)



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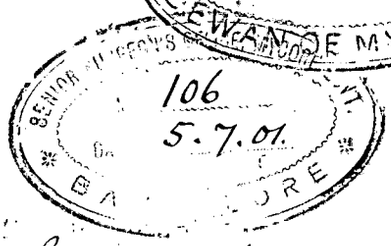

From

To

The Secretary to Government
Genl Rev: depts
Bangalore.

Section S & R
No 24-189
rial No 7

Dated

Despatched

Received

General No.

No.

Enclosure No. 7.

Forwarding for Sanction of Govt
Two bills of Messrs. T.V. Arumugam
Mudr & E.S. Krishnaswamy Iyer
on account of Travelling allowance
& Charges for conveying a carriage
and a horse by rail on their transfers
to Bangalore & Kolar Gold Fields
respectively.

Put
9.7.7
Recd 10-7-01

13/7/01

From

The Officiating Senior Surgeon and Sanitary Commissioner
with the Government of Mysore, Bangalore.

To

The Secretary to Government
General and Revenue Departments, Bangalore.

No 106

Dated 5th July 1901

Sir,

I have the honor to forward for favour of sanction of Government the accompanying bills of Civil Surgeon Messrs. T.V.Arumugam Mudaliar and E.S.Krishnasamy Iyer on account of travelling allowance and charges incurred by them for conveying a carriage and a horse by rail on their transfers to Bangalore and Gold fields respectively.

Letter No.1826 dated 23-6-01 from Mr.T.V.Arumugam Mudaliar and 778 dated 27-6-01 from Mr.E.S.Krishnasamy Iyer explaining the circumstances under which they did not obtain the previous sanction, are herein enclosed for information and obliging return when done with.

As each of these officers are entitled to a carriage and and 2 horses as per article 518 B.clause 2 of the Mysore Service Regulations and as they have taken these subject to my approval with which I agree the bills may be sanctioned and forwarded to the Comptroller of Mysore for audit.

I have the honor to be

Sir,

Your most obedient servant

M.D.
Major I.M.S.
Offg:Senior Surgeon and Sanitary Commissioner
Mysore Government.

With Comptroller's memo No:581 dt 15.6.01 to the Senior Surgeon dtd. 1 Receipt for conveyance charges for Rs 42-10-0 from S.M. Ry Co. 1 Do Rs 55 dt 16.4.01 from AE Civil Surgeon-Kolar Gold Fields to HC Senior Surgeon dtd. * for Rs:63-14-0 from Rs:63/1901 & for Rs:75-14-0 from Rs:75/1901.

Section SOA
File No 24-189
Serial No 8

Bill of Messrs Arumugam Bros for Feby/01 for Rs 63-14-0
do — do — Krishnasami Iyer for March/01 — 75-14-0

(16)

1901

Read: —

Letter No. 106 dated 5th July/01 from the Senior Surgeon with the Govt: of Mysore subtg: for sanction the marginally noted bills of Civil Surgeon Messrs T. V. Arumugam Mudaliar and C. S. Krishnasamy Iyer on account of travelling and charges incurred by them for conveying a carriage and a horse by rail on their transfers to Bangalore and Gold Fields respectively.

Order thereon 792-93
No 7 dt 18-7-01

The bills are sanctioned and forwarded to the Comptroller for audit.

DFT — 15/7/1901
For Secretary

13/7/01

To The Senior Surgeon with the Govt of Mysore
returning the enclosures No. 1826 & 7784 of 23rd & 27th June/01 received with his letter read above.
The Comptroller with bills

P+A-24

95 — 17

Section S+R
File No 24-1897 FROM
Serial No 9
To

OFFICE OF THE
261
189
16-7-01
DEWAN OF MYSORE.

SENIOR SUPERINTENDENT OF POLICE
No. 108
DATE 5.7.01
BANGALORE

24

Is this taking an
unauthorised allowance
like?

Subt with an office note
for orders.
DWB
19/8/01

The Secretary to Government
Genl & Rev: depts.
Bangalore.

Dated

Despatched

Received

General No.

No.

Enclosure No. 1.

Reporting that Mr. E. S. Krishnasamy Iyer has been permitted to take another horse by rail from Bangalore to Kolar Gold Fields.

Encl in
Recd 20-7-01
Recd 30-7-01
Rep

P. T. O

From

The Officiating Senior Surgeon and Sanitary Commissioner
with the Government of Mysore, Bangalore.

To

The Secretary to Government
General and Revenue Departments, Bangalore.

No 108

Dated 5th July 1901

Sir,

I have the honor to forward the accompanying letter No. 758 dated 24th June 1901 from Civil Surgeon Mr.E.S.Krishnasawmy Iyer of the Gold Fields for information and obliging return when done with and to report that I have permitted him to take the horse referred to therein as the Civil Surgeon is entitled to take a carriage and 2 horses by rail as per codal rules.

He had already taken one horse and a carriage on a previous occasion as reported in this office No. 106 dated 5.7.01.

I have the honor to be

Sir,

Your most obedient servant

Major I.M.S.
Offg;Senior Surgeon and Sanitary Commissioner
Mysore Government.

24 (18)

Read:

Letter No. 108 d: 5th July 1901 from the Offg. Senior Surgeon and Sanitary commissioner with the Govt of Mysore forwarding letter No. 758 d: 24th June 1901 from the Civil Surgeon Mr E. S. Krishnasami Iyer of the Kolar Gold Fields — Soliciting sanction to bring another of his horses from Bangalore to the Gold Fields. and reporting that he has permitted him to do so, as he is entitled to take a carriage and two horses by rail as per codal rules. JS

Section S+A
File No 811-1897
Serial No 16

Order thereon No 4295-96 Mat 263 17-9-01

Mr Krishnasami Iyer is entitled to take a carriage and two horses. He should have taken them together. But instead of doing so, by taking one horse in the first instance and the

the other later on with the 05
permission of the Senior
Surgeon, he has incurred
to Govt a heavier expense
than he would have if
both the horses had been
taken together. Government
therefore can only
cannot ~~sanction~~ the full
amount of Railway
~~charge~~ sanction only half of
charge but ~~only~~
it ~~is sanctioned~~ for the
2nd horse.

2nd Cls Order). Draft. JB
5/9/1907.
For Secy

JMB
5/9/01.

To The Offg. S. Surgeon Rea
returning the original
letter of the Civil Surgeon
Rea with the letter
read above

The Comptroller in Rangoon
in continuation of Govt
Proc: No. 792-93
PHA 34 dt: 18/7/01.

P+A – 460

26 (19)

3878
21-9-01

190

417

FROM

1834
18.9.01

To H. V. Nanjundayya Esqr.
M. A., M. L.
Secy: to Govt.
Genl: & Rev: Depts.
Bangalore

Section S&A.
File No. 24-1897
Serial No. 11

Dated

Despatched

Received

General No.

No.

Enclosure No.

Requesting Sanction to the full allowance for the second horse Taken by Mr. E. S. Krishnasawmy Iyer from Bangalore to Kolar Gold Fields by rail for reasons assigned in the letter.

P & A
21 9

Represented

BA
24/9/01

Read 26-9-01 Subt for orders.
DM
28/9/01.

MGCPB—3-3-01—50 reams.

(21)

Read again

Govt Proceedings No.
4295-96 d. 7th September
PHA 263
1901 disallowing the full fare
account of railway charge
but sanctioning only half of
it for the 2nd horse taken
later on, separately by Mr
E.S. Krishnaswami Iyer —
Civil Surgeon K.G. Fields
from Bangalore to the
Kolar Gold Fields, in con
sequence of his transfer.

(2) Read Letter No. 1834
d. 18th September 1901
from the offg. Senior
Surgeon and Sanitary
Comm^r with the Govt
of Mysore, ~~stating~~ requesting
that it is nowhere laid
down that an officer
who is entitled to
bring two horses free
from one station
to another by rail must

Section SHA
File No 24-1897
rial No 12

requesting that ~~the~~
half the railway fare
~~disallow~~ for carrying
a horse disallowed in
G.O. No. d.
from the bill of Mr. K.G.
C.S. may be passed
for reasons stated.

must bring them to-
-gether on the same date,
that it is extremely in-
-convenient for him to
do so and requesting
sanction, pending the
elucidation of the existing
orders on the subject, to
the full allce claimed
for the 2nd horse in the
case under reference

Order thereon - 1907-73 dt 6/5 11. 25-61-67

Art: 518 A of
the Myore Servie Regula
-tions is clear. If an
officer is satisfied with
a carriage and a horse
for use at the end of
his journey, ~~Sanction~~
~~Should not have been~~
he cannot charge the Govt
~~granted~~ for ~~sending~~ Sending
a 2nd horse, ~~expediting~~ by railway
when
there was no immediate
necessity therefor. The
Special Sanction under
this

380

this article is given in the interests of public service but not to suit the private convenience of the officer concerned nor can he be permitted to avail himself of the concession at his will and pleasure. In these circs, the Govt consider that the Senior Surgeon should not have permitted Mr Krishna-swami Iyer to carry the 2nd horse at all at Govt cost ~~after he had once allowed him the indulgence~~ and that there is no reason for modifying the order already passed

(3d Civ order) Draft. Hyme 14/11

Sec's

DMB 13/11/01. Mr Krishna-swami Iyer

14/11 I agree with necessary & [illegible] Hyme

To The S. Surgeon Gen.
The Comptroller in Hyme.